IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 13TH OCTOBER 2006 / 21ST ASWINA 1928

Bail Appl..No. 6125 of 2006

CMP.239/2006 of J.M.F.C., HARIPAD
CRIME NO.137/2006 OF KARTHIKAPPALLY EXCISE RANGE

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PETITIONER/ACCUSED (IN CUSTODY)

SOMAN, S/O.GOPALAN,
KUNTHATHIL VEEDU, KARUVATTA NORTH MURI,
KARUVATTA, KARTHIKAPPALLY.

BY ADV. SRI.S.SHANAVAS KHAN

RESPONDENTS: COUNTER PETITIONER/COMPLAINANT

THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6125/2006

DATED THIS THE 13TH DAY OF OCTOBER, 2006

O R D E R

The petitioner was arrested on 1.10.2006 with 1.400 ml of illicit arrack, by the Inspector of Excise Range, Karthikappally, who registered C.R.No.137/2006 of that Excise Range, for the offence punishable under Section 8(1) & (2) and 55(a) of the Abkari Act. Hence this application under Section 439 Cr.P.C.

2. The prosecution submits that there is no other case, registered against the petitioner, and the investigation is nearly complete.

3. After hearing both sides and considering the materials that are placed before me, I grant bail and release the petitioner from jail, subject to the following conditions:

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties,

each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-I, Haripad.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Wednesday, between 10.00 a.m and 11.00 a.m., for a period of one month, starting from 18.10.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs